

CRM-M-14936-2022

Date of Decision: 06.12.2022

Mahabir Singh and another

--Petitioners

Versus

State of Haryana and another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate and
Mr. Prabhdeep Bindra, Advocate and
Mr. Malini Singh, Advocate
for the petitioners.

Mr. B.S. Virk, DAG, Haryana.

Mr. Sandeep Siwach, Advocate for
Mr. Vikram Singh, Advocate
for respondent No.2/complainant.

RAJESH BHARDWAJ, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C for issuance of a direction to the arresting officer to release the petitioners on bail in event of arrest in FIR No.51 dated 13.07.2021 registered under Sections 323, 406, 498-A, 506, 313 IPC at Police Station Women Assandh, District Karnal.

By virtue of the order dated 08.04.2022 while granting interim protection, the petitioners i.e. parents-in-law of respondent No.2 were directed to join investigation.

It has been contended by learned counsel for the petitioners that in pursuance to the order dated 08.04.2022, the petitioners have joined the investigation and fully cooperated and thus, the interim order may kindly be made absolute. It is submitted that vide order dated 24.08.2022, parties including husband of the complainant were directed to appear before Mediation

and Conciliation Centre of this Court to explore the possibility of settlement. He further submits that son of the petitioners i.e. Mandeep Sharma had appeared before the Mediation Centre but complainant did not show any interest in joining the mediation proceedings. Report of the mediator is also placed on record which would reflect that son of the petitioners i.e. Mandeep Sharma appeared before the Mediation Centre but respondent No.2 never put in appearance before the Mediator.

Learned State counsel on instructions from ASI Sudesh, has affirmed the fact that the petitioners have joined the investigation and submitted that they are no more required for further investigation.

Learned counsel for the complainant/respondent No.2 vehemently opposes the submissions made by learned counsel for the petitioners and submits that the allegations levelled against the petitioners are serious in nature.

In view of the above, the order dated 08.04.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

06.12.2022

P.Bhatt

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No